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BOOK REVIEWS.

A HANDBOOK OF BANKRUPTCY LAW, embodying the full text of the Act of Congress of 1898, and Annotated with Reference to Pertinent Decisions under Former Statutes. By H. CAMPBELL BLACK. St. Paul, Minn. : West Publishing Co. 1898.

This unpretentious title was well chosen. While the annotations cover many more pages than the text of the Act, and show a knowledge of the subject that is at once wide and precise, yet they are far from constituting a complete, orderly disquisition into the legal effects of bankruptcy upon commerce. From lawyers, however, already familiar with the workings of the Insolvency Laws, and needing only some help in coping with the problems newly presented by this Act of 1898, the work will receive a warm welcome. Mr. Black has unearthed over twelve hundred cases, almost all of which are suitable for his present purpose, and has so clearly condensed them that often, in a single page, two nicely distinguished lines of decisions are closely drawn up together and sharply defined. One can trace the master's hand throughout in the apt brevity that hits off the salient, differentiating feature of each case.

In the preface it is said : "While the endeavor has been to make the annotations as full as practicable in all the seven chapters, special prominence has been given to the elucidation of those questions which will probably first come before the courts for settlement—questions, that is, of jurisdiction, of procedure, of the persons and corporations entitled to take advantage, or liable to be proceeded against under it, and in regard to the acts of bankruptcy upon which a petition in involuntary cases may be founded."

"It will be proper to declare, further, that the volume now offered to the profession represents the fruits of the author's study and research, extending over a period of many years."

The last assertion is strengthened by the careful balancing of opinion which is everywhere noticeable, and which smacks, in its colorless calm, of the editor of a Law Dictionary. Nevertheless some few marks of haste lead us to believe that the approaching passage of the Act slightly interfered with the due preparations of both the writer and the publisher. Occasionally the cases are ill-assorted. Moreover, repeating the substance of important judicial decisions under various sections of the Act is commendable in a manual of this kind, but it can be carried to excess, as on page 93 of the work—sub-head, buying assent of creditors—which is a mere iteration of what page 86 contains.

Other trifling faults might be mentioned, but they scarcely mar the practical usefulness of the book. Some confusion arises in the

beginning from the words "assignee" and "trustee," and a preliminary chapter on bankruptcy in general ought to be added, to pave the way for more detailed consideration of the Act. Some general information is given, indeed, in the last chapter, but under the misleading caption, "The time when this Act shall go into effect." The sections of the Act are printed in large type, and usually each section is followed by notes in the form of digested cases in point, which cover from one to twenty pages; so that the volume is literally a Handbook of the Bankruptcy Law.

J. J. S.

A TREATISE ON THE MILITARY LAW OF THE UNITED STATES. By Lieut.-Col. G. B. DAVIS. New York: John Wiley & Sons. 1898.

"The term Military Law applies to and includes such rules of action and conduct as are imposed by a state upon persons in its military service, with a view to the establishment and maintenance of military discipline." At the present time, when so many men are under this rule and so much foreign territory governed by it, a book from such a recognized authority as the Deputy Judge Advocate of the United States possesses a peculiar interest. In a large volume Lieut.-Col. Davis has well treated this somewhat complex subject, his language is clear and concise, and, what is all too rare in law books, the arrangement leaves nothing or little to be desired. The work is hardly intended for consecutive reading, being more a text or reference book, yet a perusal of it will result in much interesting information.

In opening, the author sketches the development of Military Law in England to its adoption by the Revolutionary Congress in 1775 for the government of the American army. The present Military Law of the United States consists of statutes, orders, regulations and the unwritten laws or *customs of service*, which are long-continued usages.

Military Law and Martial Law are not synonymous terms. The former applies to military men wherever they are and in all circumstances, while the latter is instituted by proclamation and applies only during time of war in foreign land, or at home when the civil law is suspended. They are both administered by courts-martial, which is an exceedingly old form of tribunal, whose "history can be traced back to a period earlier than the Christian era, especially among the Romans—the most important and powerful of the military nations of antiquity—from whose system of jurisprudence it was borrowed by the Teutonic leaders during the Middle Ages and adapted to the peculiar conditions of the feudal system. It had become fully established on the continent of Europe at the time of the Norman Conquest, and was introduced into England, as an incident of that system, by William the Con-